



A G E N D A

**CITY COMMISSION MEETING
LAUDERHILL, FLORIDA
7:30 P.M.**

February 13, 2006

NOTICE IS HEREWITH GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE AT THE FORTHCOMING MEETING OF THE COMMISSION, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS CONDUCTED AT SUCH MEETING, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH ANY APPEAL MAY BE BASED.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. MOTION TO APPROVE CONSENT AGENDA**

V. APPROVAL OF MINUTES:

- A. MINUTES OF THE REGULAR MEETING OF THE CITY COMMISSION, JANUARY 30, 2006.

VI. PROCLAMATIONS:

- A. A PROCLAMATION DECLARING FEBRUARY 13, 2006, AS "JERK MACHINE DAY"

VII. PRESENTATIONS:

- A. A PRESENTATION BY THE CITY OF LAUDERHILL ARTS, CULTURAL, AND TOURISM BOARD, INCLUDING A PROCLAMATION BY THE CITY APPLAUDING THE BOARD'S SUCCESS ON THEIR SUCCESS ON THEIR GOLDEN ERA PRODUCTION.

ORDINANCES & PUBLIC HEARINGS ----- FIRST READING: (AS ADVERTISED IN THE SUN-SENTINEL)

1. ORDINANCE NO. 06O-02-113: AN ORDINANCE ESTABLISHING A STATE ROAD 7 REDEVELOPMENT TRUST FUND FOR THE STATE ROAD 7 COMMUNITY REDEVELOPMENT AGENCY (CRA) IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 163.387; PROVIDING THAT FUNDS ALLOCATED TO AND DEPOSITED INTO THIS FUND SHALL BE USED BY THE STATE ROAD 7 CRA TO FINANCE OR REFINANCE ANY STATE ROAD 7 COMMUNITY REDEVELOPMENT PURSUANT TO THE STATE ROAD 7 REDEVELOPMENT PLAN; PROVIDING FOR THE FUNDING OF THE STATE ROAD 7 REDEVELOPMENT TRUST FUND FOR THE DURATION OF THE STATE ROAD 7 COMMUNITY REDEVELOPMENT PLAN; PROVIDING THAT THE FUNDING OF THE STATE ROAD 7 REDEVELOPMENT TRUST FUND SHALL BE IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 163.387; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

2. ORDINANCE NO. 06O-02-114: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LAUDERHILL, FLORIDA AUTHORIZING THE ISSUANCE OF CITY OF LAUDERHILL FLORIDA, CAPITAL IMPROVEMENT REVENUE NOTES, SERIES 2006 (EMERGENCY REPAIR PROJECTS) IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$10,000,000 FOR THE PURPOSE OF FINANCING THE COST OF IMPLEMENTATION, ACQUISITION, CONSTRUCTION, IMPROVEMENT, EQUIPPING AND REPAIR OF VARIOUS PUBLIC FACILITIES WITHIN THE CITY DAMAGED AS A RESULT OF HURRICANE WILMA, INCLUDING DEBRIS REMOVAL, AND PAYING ALL OTHER COSTS NECESSARY OR INCIDENTAL THERETO (THE "PROJECT") AND PAYING COSTS OF ISSUANCE OF THE SERIES 2006 NOTES; PROVIDING FOR THE ISSUANCE OF BONDS TO REFINANCE THE PROJECT; PROVIDING FOR THE TERMS AND PAYMENT OF SUCH SERIES 2006 NOTES AND BONDS; PROVIDING FOR THE RIGHTS, SECURITY AND REMEDIES OF THE HOLDERS THEREOF; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AUTHORIZING THE REGISTRATION OF THE BONDS UNDER A BOOK-ENTRY SYSTEM; DETERMINING CERTAIN DETAILS OF SAID SERIES 2006 NOTES; AWARDING THE SALE OF THE SERIES 2006 NOTES TO SUNTRUST BANK PURSUANT TO A NEGOTIATED SALE; APPOINTING A PAYING AGENT AND REGISTRAR FOR THE SERIES 2006 NOTES; AUTHORIZING THE PROPER OFFICIALS OF THE CITY OF LAUDERHILL TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE OF SAID SERIES 2006 NOTES AND BONDS HEREUNDER; PROVIDING FOR THE UNDERTAKING BY THE CITY REQUIRED BY RULE 15C2-12 OF THE SECURITIES AND EXCHANGE COMMISSION IN CONNECTION WITH BONDS; PROVIDING FOR CERTAIN OTHER MATTERS IN CONNECTION WITH THE SERIES 2006 NOTES AND BONDS; PROVIDING FOR AN EFFECTIVE DATE.

COMMUNICATIONS FROM THE MAYOR AND OTHER PUBLIC OFFICIALS 9:00 P.M. OR IMMEDIATELY BEFORE ADJOURNMENT, WHICHEVER SHALL FIRST OCCUR:

**ORDINANCES & PUBLIC HEARINGS --- SECOND READING: (AS ADVERTISED
IN THE SUN-SENTINEL)**

3. ORDINANCE NO. 06O-01-106: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, SCHEDULE L., ENGINEERING STANDARDS AND PROCEDURES FOR LAND DEVELOPMENT ACTIVITIES, SECTION 3., GENERAL REQUIREMENTS, SUBSECTION 3.03, PARKING AREAS; AMENDING SUBPARAGRAPH A.1.e., DRIVING LANES, BY ADDING LANGUAGE ALLOWING A ONE-WAY DRIVE-THROUGH LANE DESIGNED TO FACILITATE THE TRANSACTION OF GOODS AND SERVICES TO HAVE A MINIMUM CLEAR WIDTH OF 9 FEET; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

4. ORDINANCE NO. 06O-01-107: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, SCHEDULE I., SIGN REQUIREMENTS, SECTION 6.0., PROHIBITED SIGNS; AMENDING SUBSECTION (J) RESERVED BY PROHIBITING THE LETTERS "XXX", THE WORDS "ADULT VIDEOS" OR SIMILAR LANGUAGE INDICATING AN ADULT ENTERTAINMENT USE ON A SIGN UNLESS THE SIGN IS ANCILLARY TO AN ADULT ENTERTAINMENT USE APPROVED BY THE CITY COMMISSION THROUGH THE SPECIAL EXCEPTION USE PROCESS; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

5. ORDINANCE NO. 06O-01-108: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE III., ZONING DISTRICTS, PART 5.0., SPECIAL REGULATIONS FOR SPECIFIC LAND USE CLASSIFICATIONS, SECTION 5.2., ADULT ENTERTAINMENT USES; ADDING SUBSECTION 5.2.39., AMORTIZATION OF NONCONFORMING ADULT ENTERTAINMENT USES; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

6. ORDINANCE NO. 06O-01-109: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, ARTICLE III., ZONING DISTRICTS, PART 5.0., SPECIAL REGULATIONS FOR SPECIFIC LAND USE CLASSIFICATIONS, SECTION 5.2., ADULT ENTERTAINMENT USES, SUBSECTION 5.2.3., DEFINITIONS; AMENDING THE DEFINITION IN PARAGRAPH 5.2.3.(2) OF ADULT BOOKSTORE AND ADULT VIDEO STORE; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)

7. ORDINANCE NO. 06O-01-110: AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, SCHEDULE H., NON-CONFORMING LAND USE PROVISION; AMENDING SECTION 1.9., NONCONFORMITY OTHER THAN USE, AND EXCLUDING NONCONFORMING LOTS; ADDING SECTION 1.12., NONCONFORMING LOTS, AND ALLOWING A SINGLE-FAMILY USE ON A NONCONFORMING LOT; ADDING SECTION 1.13., EXISTING SPECIAL EXCEPTION USES, AND PROVIDING THAT SUCH USES NOT HAVING CITY COMMISSION APPROVAL ARE NONCONFORMING USES; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

8. ORDINANCE NO. 06O-01-112: AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; ARTICLE II, PUBLIC ART PROGRAM; SECTION 6.36, PUBLIC ART COMMITTEE; AMENDING THE REQUIREMENTS FOR ELIGIBILITY TO SERVE ON THE PUBLIC ART COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER M. MARGARET BATES).

RESOLUTIONS

COMMISSION

9. RESOLUTION NO. 06R-01-112: A RESOLUTION APPOINTING MEMBERS TO THE CITY OF LAUDERHILL PUBLIC ART COMMITTEE AND APPOINTING UP TO TWO ALTERNATES BY THE CITY COMMISSION AS A WHOLE; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY COMMISSION).

10. RESOLUTION NO. 06R-02-238: A RESOLUTION BY THE CITY COMMISSION APPROVING THE ELECTION OF ROSIE BURNEY TO SERVE AS THE EMPLOYEE REPRESENTATIVE MEMBER OF THE GENERAL EMPLOYEE PENSION BOARD FOR A TERM OF TWO YEARS TO EXPIRE DECEMBER 2007; PROVIDING FOR AN EFFECTIVE DATE.

11. RESOLUTION NO. 06R-01-116: A RESOLUTION OF THE CITY OF LAUDERHILL, FLORIDA INDICATING THE OFFICIAL INTENT OF THE CITY TO ISSUE TAX-EXEMPT NOTES TO FINANCE THE COST OF IMPLEMENTATION, ACQUISITION, CONSTRUCTION, EQUIPPING AND INSTALLATION OF VARIOUS REPAIRS AND IMPROVEMENTS TO CITY PROPERTY REQUIRED AS A RESULT OF DAMAGE SUSTAINED DURING HURRICANE WILMA AND TO USE A PORTION OF THE PROCEEDS OF SUCH NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; PROVIDING FOR AN EFFECTIVE DATE.

12. RESOLUTION NO. 06R-02-239: A RESOLUTION OF THE CITY OF LAUDERHILL APPROVING THE SERVICE AGREEMENT AND BILL OF SALE BETWEEN FLORIDA POWER & LIGHT COMPANY AND THE CITY OF LAUDERHILL PROVIDING FOR THE INSTALLATION OF A FIFTEEN FOOT (15') HIGH CHAIN LINK FENCE ADJACENT TO THE ATHLETIC FIELDS OF LAUDERHILL MIDDLE SCHOOL; PROVIDING THAT THE CITY WILL MAINTAIN THE FENCE IN PERPETUITY; PROVIDING TERMS, CONDITIONS AND FEES; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY COMMISSIONER M. MARGARET BATES).

D.E.E.S.

13. RESOLUTION NO. 06R-02-240: A RESOLUTION APPROVING THE WAIVER OF COMPETITIVE BIDDING; APPROVING THE AWARD OF CONTRACT IN THE AMOUNT OF \$113,200.00 TO CORZO, CASTELLA, CABELA, THOMPSON AND SELMAN (C3TS) TO PROVIDE DESIGN SERVICES FOR THE PRE-CAST WALL PROGRAM IN THE DESIGNATED AREAS BASED UPON PRIOR BID #P2004-15; LOCKING IN THE CONTRACTOR'S PRIOR YEAR PRICE; PROVIDING FOR PAYMENT FROM BUDGET CODE NUMBER 305-361-6526; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

PARKS AND LEISURE SERVICES

14. RESOLUTION NO. 06R-02-241: A RESOLUTION APPROVING THE CHANGE ORDER TO THE ACCURATE TENNIS COURTS (P2005-017) CONTRACT FOR AN INCREASE IN THE AMOUNT OF \$35,100.00 FOR THE CONSTRUCTION OF TWO TENNIS COURTS AT WOLK PARK; PROVIDING FOR PAYMENT TO BE MADE FROM BUDGET CODE NUMBER 305-351-6347; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

PLANNING AND ZONING

15. RESOLUTION NO. 06R-02-242: A RESOLUTION RESCINDING AND REPLACING RESOLUTION NO. 04R-07-129 WHICH ACCEPTED THE UTILITY EASEMENT DEDICATION AND BILL OF SALE FROM INVERRARY BOULEVARD PLAZA CONDOMINIUM ASSOCIATIONS, INC. TO TRANSFER OWNERSHIP AND MAINTENANCE OF THE WATER AND WASTEWATER FACILITIES LOCATED IN THE INVERRARY BOULEVARD PLAZA SHOPPING CENTER, TOGETHER WITH ALL APPURTENANCES, TO THE CITY OF LAUDERHILL; PROVIDING THAT THE CITY IS PERMITTED ACCESS IN, UNDER, OVER, THROUGH, ACROSS AND UPON ALL OF THE ASSOCIATION'S PROPERTY TO MAINTAIN THE SYSTEMS; SUBSTITUTING THE CORRECT LEGAL DESCRIPTION REGARDING THE SEWER EASEMENT; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

POLICE DEPARTMENT

16. RESOLUTION NO. 06R-02-243: A RESOLUTION OF THE CITY OF LAUDERHILL ACCEPTING THE BUREAU OF JUSTICE ASSISTANCE, FLORIDA DEPARTMENT OF LAW ENFORCEMENT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FOR FISCAL YEAR 2006 IN THE AMOUNT OF \$31,214.00; ACKNOWLEDGING THAT NO MATCHING FUNDS ARE REQUIRED; AUTHORIZING THE APPROPRIATION OF THOSE FUNDS TO INDIVIDUAL REVENUE AND EXPENDITURE ACCOUNTS AS REQUESTED; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

17. RESOLUTION NO. 06R-02-244: A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF LAUDERHILL AND THE CIRCLE PROPERTIES OWNERS' ASSOCIATION, INC. FOR LOCAL TRAFFIC CONTROL AND PUBLIC SAFETY IN THE AREA KNOWN AS "THE CIRCLE"; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

QUASI-JUDICIAL MATTERS:

QUASI-JUDICIAL MATTERS, FIRST READING:

18. RESOLUTION NO. 06R-01-229: A RESOLUTION GRANTING TO THE OWNER, BALKANI REALTY, INC., A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW A VARIETY OF AUTOMOTIVE USES IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT ON A SITE LOCATED ON PARCEL 1, LOTS 35, 36 AND 37 OF COMMERCIAL BOULEVARD SHOPPES NO. 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 107, PAGE 43, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 6420 WEST COMMERCIAL BOULEVARD, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

19. RESOLUTION NO. 06R-01-230: A RESOLUTION GRANTING TO THE OWNER, WILLIAM OLSEN, A SPECIAL EXCEPTION USE DEVELOPMENT ORDER, SUBJECT TO CONDITIONS, TO ALLOW AN OUTDOOR VEHICULAR-RELATED USE ON A ± 1.1552 ACRE SITE IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT ON A SITE LOCATED ON A PORTION OF TRACT "C," INDUSTRIAL 100, UNIT TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 85, PAGE 2, OF THE OFFICIAL PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, MORE COMMONLY KNOWN AS 1590 N.W. 40th STREET, LAUDERHILL, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA).

QUASI-JUDICIAL MATTERS, SECOND READING:

NONE

UNFINISHED BUSINESS:

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT